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Insurance Law, Dispute Resolution & Arbitration

Lyman Morse Boatbuilding Inc. v. Northern Assurance Co., No. 14-1380

This suit was filed by insureds seeking to recover the costs and attorneys' fees that they incurred in the arbitration proceeding for the underlying product defect arbitration proceeding. Plaintiffs assert that defendant insurance company owed a duty to defend them in the underlying arbitration proceeding. Judgment is affirmed in part, reversed in part, and remanded for entry of judgment in favor of defendant where, on the pertinent facts, defendant owed neither insured plaintiffs a defense under Maine law.

Civil Procedure, Dispute Resolution & Arbitration

Vaqueria Tres Monjitas, Inc. v. Indulac, Inc., No. 14-1132

In this case, plaintiffs reached a settlement agreement in the original case with the defendants, but intervenors Indulac and the Puerto Rico Dairy Farmers Association objected to the settlement. The district court approved the settlement agreement and Indulac appeals, contending that the said action violated its due process rights by approving the agreement without affording Indulac a hearing. Indulac's appeal is dismissed because it is untimely, which deprives the present court of appellate jurisdiction.